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(C37-129a)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Gregory M. Fehn)
Serial No: 8/917,044) Group Art Unit 1772
Filed: August 19, 1997) Examiner Jennifer M. Hayes
For: CONTAINER WITH)
RECYCLED PLASTIC)

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AMENDMENT

JAN 14 1999

GROUP 1700

In response to the December 18, 1998, Office action, please amend and reconsider the subject application in light of the following:

In the Claims:

B1 2 (twice amended). The container of Claim 1 wherein said polyethylene polymer in said first layer includes a post-consumer recycled plastic and said second layer comprises a barrier layer to impede the migration of PCR contaminants.

23 (twice amended). A container having a wall defining an interior and an exterior, at least a part of said wall comprising a plurality of layers including:

- B2
- (A) a first layer having post-consumer recycled polyethylene resin;
 - (B) a second layer formed on the surface of and in intimate contact with said first layer, said second layer having a substantially continuous film of EVOH, said film occurring at a portion of said part of said wall wherever said first layer occurs and being located, at said portion, toward the interior of said container from said first layer, said second layer comprising a barrier layer to impede the migration of PCR contaminants.

B3 35 44 (twice amended). A container having a wall defining an interior and an exterior, at least part of said wall comprising (1) a layer having post-consumer recycled